

1 ROY A. COMBS, State Bar No. 123507
2 JOHN W. ALLEN, State Bar No. 137496
3 MICHAEL L. SMITH, State Bar No. 217751
4 OAKLAND UNIFIED SCHOOL DISTRICT
5 1025 Second Avenue, Room 406
Oakland, CA 94606
Telephone: (510) 879-8535
Fax: (510) 879-1833

6 Attorneys for Defendant
7 OAKLAND UNIFIED SCHOOL DISTRICT,
RANDLOPH E. WARD and GOVERNING BOARD OF
THE OAKLAND UNIFIED SCHOOL DISTRICT

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 FARM MENG SAEPHAN,

Case No. C 06 4428 JCS

11 Plaintiff,

AMENDED

12 vs.

STIPULATION AND [PROPOSED] ORDER
SELECTING ADR PROCESS

13 OAKLAND UNIFIED SCHOOL DISTRICT;
14 RANDLOPH E. WARD, State Administrator of the
Oakland Unified School District; GOVERNING
15 BOARD OF THE OAKLAND UNIFIED SCHOOL
DISTRICT,

16 Defendants.

17 Counsel report that they have met and conferred regarding ADR and have reached the
18 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

19 The parties agree to participate in the following ADR process:

20 **Court Process:**

21 Non-Binding Arbitration (ADR L.R. 4)
22 Early Neutral Evaluation (ENE) (ADR L.R. 5)
23 Mediation (ADR L.R. 6)

24 (Note: *Parties who believe that an early settlement conference with a Magistrate Judge is*
25 *appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR*

1 phone conference and may not file this form. They must instead file a Notice of Need for ADR
2 Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

3 **Private Process:**

4 Private ADR (please identify process and provider) _____

5
6 The parties agree to hold the ADR session by:

7 The presumptive deadline (The deadline is 90 days from the date of the order referring
8 the case to an ADR process unless otherwise ordered.)

9 other requested deadline: 120 days from date of order referring case to an ADR process.

10
11 Dated: September 27, 2006

ROY A. COMBS
General Counsel

12
13 By: 

Michael L. Smith
Attorneys for Defendants

14
15
16 Dated: September ___, 2006

THE LEGAL AID SOCIETY
Christopher Ho

17
18 By: _____

William N. Nguyen
Attorneys for Plaintiff

phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider)

The parties agree to hold the ADR session by:

The presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

other requested deadline: 120 days from date of order referring case to an ADR process.

Dated: September ___, 2006

ROY A. COMBS
General Counsel

By: _____

Michael L. Smith
Attorneys for Defendants

Dated: September 27, 2006

THE LEGAL AID SOCIETY
Christopher Ho

By:

William N. Nguyen
Attorneys for Plaintiff

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

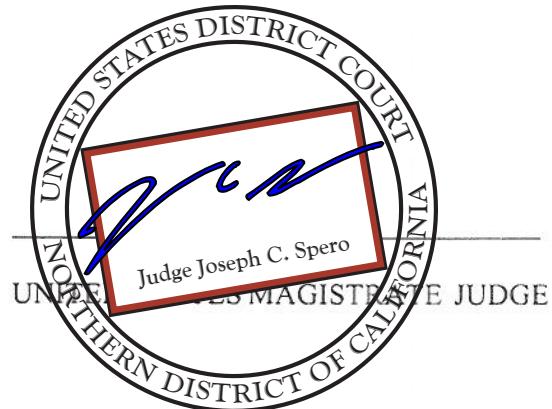
Deadline for ADR session

120 ~~90~~ days from the date of this order.

other

IT IS SO ORDERED.

Dated: October 3, 2006



1 **PROOF OF SERVICE**

2 ***Saephan v. Oakland Unified School District, et al., USDC Case No. CO6 4428 JCS***

3 I, John Pisani say that I am a citizen of the United States, over the age of eighteen
4 years, whose business address is 1025 Second Avenue, Room 406, Oakland, CA 94606, in the
County of Alameda, State of California, and I am not a party to the within action.

5 On September 28, 2006, I served a copy of the following document(s):

6 **STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS**

7 X By mail: I am readily familiar with my employer's practices for collection and
8 processing of correspondence for mailing with the United States Postal Service, following
9 ordinary business practices and placing for collection and mailing, placing a true and correct
copy of the above-referenced document, enclosed in a sealed envelope, in the ordinary course
10 of business. The above documents were deposited for first-class delivery with the United States
Postal Service the same day they were placed for deposit, with postage thereon fully prepaid
and addressed to the individual identified below:

11 By facsimile: At _____ a.m./p.m., by use of facsimile machine telephone
12 number (510) 879-1833, I caused a true and correct copy(ies) of the above-referenced
document(s) on the below mentioned party at the telephone number below. The facsimile
13 machine I used complied with California Rules of court, rule 2003 and no error was reported by
the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print
a transmission record of the transmission.

14 By personally delivering a true copy thereof to the person(s) at the address(es)
15 set forth below:

16 By causing to be personally delivered a true copy thereof to the person(s) at the
address(es) set forth below:

17 Christopher Ho, Esq.
18 The Legal Aid Society
600 Harrison Street, Suite 120
19 San Francisco, CA 94107
Phone (415) 8648848
20 Fax (415) 864-8199

21 I declare under penalty of perjury that the foregoing is true and correct. Executed on
September 28, 2006, at Oakland, California.

22
23
24 John Pisani
25
26